

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICAH OVERBY,

Plaintiff,

-against-

17 CIV 3377 (CS)

NOTICE OF MOTION

WENDELL ERIC FABIAN; TARIQ AKRAM;
STAPLES THE OFFICE SUPERSTORE EAST INC.;
DETECTIVE GIANPAOLO DILISIO #36;
POLICE OFFICER MONTESANO #42; Elmsford
Police Chief STEPHEN FOSTER; VILLAGE OF
ELMSFORD; ELMSFORD POLICE DEPARTMENT;
and JOHN AND JANE DOE 1 through 10,

Defendants.
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PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in support of this motion, Defendants Village of Elmsford, Elmsford Police Department, Police Chief Stephen Foster, Det. Gianpaolo Dilisio #36 and P.O. Montesano #42 will move this Court before Honorable Cathy Seibel, United States District Judge, Southern District of New York, 300 Quarropas Street, White Plains, New York, for an Order pursuant to Rule 12(b) of the Federal Rules of Civil Procedure dismissing Plaintiff's First Amended Complaint and for further relief as this Court may deem just and proper.

Dated: November 13, 2017
Goshen, New York



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